

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-mj-8531-RMM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE JIMENEZ-GASPAR,  
a/k/a, "Pedro Andres-Raymundo,"

Defendant.

FILED BY SP D.C.

Oct 27, 2023

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - West Palm Beach

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Miami Office of the United States Attorney's Office prior to July 20, 2008?

Yes ☐ X No

2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office (West Palm Beach Office) only prior to December 18, 2011?

Yes ☐ X No

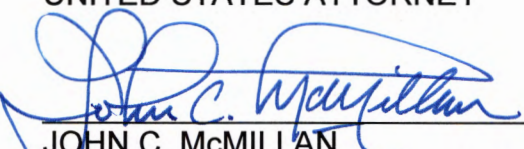
3. Did this matter originate from a matter pending in the Fort Pierce Office of the United States Attorney's Office prior to August 8, 2014?

Yes ☐ X No

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

BY:

  
JOHN C. McMILLAN

ASSISTANT UNITED STATES ATTORNEY

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UNITED STATES DISTRICT COURT  
for the  
Southern District of Florida

United States of America  
v.  
JOSE JIMENEZ-GASPAR,  
a/k/a "Pedro Andres-Raymundo,"

Case No. 23-mj-8531-RMM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/15/2023 in the county of Palm Beach in the  
Southern District of Florida, the defendant(s) violated:

Code Section  
8 U.S.C. § 1326(a)

Offense Description  
Re-entry After Deportation

This criminal complaint is based on these facts:  
See attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Andy Korzen, Deportation Officer, HSI

Printed name and title

Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (Facetime).

Date:

10/27/23

Judge's signature

City and state: West Palm Beach, Florida

Hon. Ryon M. McCabe, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT  
OF  
ANDY KORZEN  
UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
Case No. 23-mj-8531-RMM**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Task Force Officer (TFO) with the Homeland Security Investigations (HSI), and I am also Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty years. I am currently assigned to the HSI, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Jose JIMENEZ-GASPAR, also known as Pedro ANDRES-RAYMUNDO committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a).

3. On or about October 15, 2023, Jose JIMENEZ-GASPAR was arrested in Palm Beach County, Florida for the offenses of driving under the influence, and outstanding warrant for violation of probation. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Jose JIMENEZ-GASPAR is a native and citizen of Guatemala. Records further show that on or about November 26, 2019, Jose JIMENEZ-GASPAR was ordered removed. The Order of Removal was

executed on or about December 3, 2019, whereby Jose JIMENEZ-GASPAR was removed from the United States and returned to Guatemala.


5. Thereafter, Jose JIMENEZ-GASPAR re-entered the United States illegally, and was expelled from the United States and returned to Mexico under provision of Title 42, United States Code, Section 265, on three separate occasions, on or about following dates: August 31, 2020, September 9, 2020, and December 19, 2020.

6. U.S. Department of Homeland Security, HSI Forensic Laboratory Senior Fingerprint Specialist Thomas L. Liszkiewicz conducted a fingerprint comparison in this case. The fingerprint comparison confirmed that the individual encountered on or about October 15, 2023, that is, Jose JIMENEZ-GASPAR was the same person previously removed from the United States.

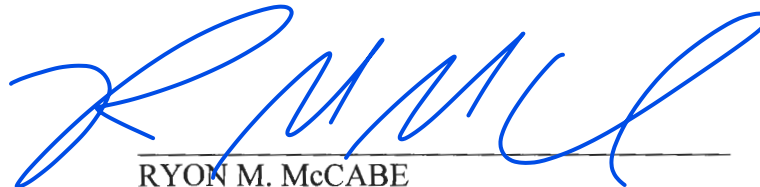
7. A record check was performed in the Computer Linked Application Informational Management System to determine if Jose JIMENEZ-GASPAR filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that Jose JIMENEZ-GASPAR obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

8. Based on the foregoing, I submit that probable cause exists to believe that, on or about October 15, 2023, Jose JIMENEZ-GASPAR, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary

of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a).

  
\_\_\_\_\_  
Andy Korzen  
Task Force Officer  
Homeland Security Investigations

Sworn and Attested to me by Applicant by Telephone (Facetime) pursuant to Fed. R. Crim. P. 4(d) and 4.1 this 27 day of October 2023.

  
\_\_\_\_\_  
RYON M. McCABE  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**PENALTY SHEET**

**Defendant's Name:** Jose JIMENEZ-GASPAR, a/k/a "Pedro Andres-Raymundo"

**Case No:** 23-mj-8531-RMM

**Count # 1**

**Reentry After Deportation**

**Title 8, United States Code, Section 1326(a)**

- \* **Max. Term of Imprisonment:** 2 years
- \* **Mandatory Min. Term of Imprisonment (if applicable):** not applicable
- \* **Max. Supervised Release:** 1 year
- \* **Max. Fine:** \$250,000.00
- \* **Special Assessment:** \$100.00
- \* **Immigration Consequences of removal (deportation) if convicted**